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June 18, 2008

VIA FACSIMILE

The Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: Kevin Griffin v. City of New York, et al., 08 Civ. 4191 (SHS)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendant City of New York in the above-referenced matter in which plaintiff alleges, *inter alia*, that excessive force was used against him in violation of his constitutional rights. Defendant City respectfully requests an extension of its time to answer or otherwise respond to this complaint from June 23, 2008 until August 25, 2008. Additionally, in light of defendant City's request for an extension of time to respond to plaintiff's complaint, defendant also requests an adjournment of the initial conference presently scheduled for June 27, 2008 at 11:00 am. Plaintiff has consented to these requests.

There are several reasons for seeking an enlargement of time in this matter. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need time to investigate the allegations set forth in the complaint. Furthermore, it is our understanding that the records of the underlying criminal actions, including police records, may have been sealed pursuant to New York Criminal Procedure Law § 160.50. Therefore, this office is in the process of forwarding to plaintiff for execution consents and authorizations for the release of sealed arrest and criminal prosecution records so that defendant can access the information, properly assess the case, and respond to this complaint.

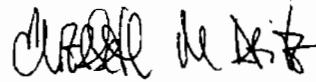
Additionally, because plaintiff has alleged physical injury as a result of the events complained of, this office is in the process of forwarding to plaintiff for execution a consent and

authorization for the release of medical records, limited, at this juncture, to medical records concerning treatment received as a result of the alleged incident, so the defendant can properly assess the case and respond to the complaint. Therefore, defendant City also requests an adjournment of the initial conference presently scheduled for June 27, 2008 until a date and time convenient for the Court, after the City has investigated plaintiff's allegations and responded to plaintiff's complaint.

No previous request for an extension or adjournment has been made by defendant City. Accordingly, we respectfully request that defendant City's time to answer or otherwise respond to the complaint be extended to August 25, 2008, and respectfully request a corresponding adjournment of the presently scheduled initial conference. to Sept. 5, 2008, at 10:00 a.m.

Thank you for your consideration herein.

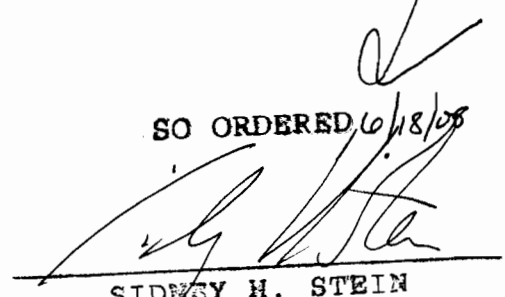
Respectfully submitted,



Elizabeth M. Daitz
Assistant Corporation Counsel

cc: Brett Klein, Esq (via facsimile)

SO ORDERED 6/18/08



SIDNEY H. STEIN
U.S.D.J.